

**AUCTIONEER BOARD
MADISON, WISCONSIN
April 26, 1999**

PRESENT: Richard Lust, Marie Skic-Loy, Marie Kohlbeck, Robert Massart,
Ronald Bast (by telephone)

EXCUSED: Robert Brandau, Mark Shain

STAFF PRESENT: Clete Hansen, Donald Rittel, Jan Neitzel, Becky Fry; staff from the
Division of Enforcement were present for portions of the meeting.

CALL TO ORDER

The meeting was called to order at 9:19 a.m. by Richard Lust, Chair, upon confirmation that the public notice was timely given. A quorum of 5 members was present.

AGENDA

MOTION: Marie Skic-Loy moved, seconded by Marie Kohlbeck, to adopt the agenda as published. Motion carried unanimously.

MINUTES (3/22/99)

MOTION: Ron Bast moved, seconded by Marie Skic-Loy, to approve the minutes as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Secretary Marlene Cummings

Secretary Cummings was not available.

Clete J. Hansen

- Roster

The Board received the April 1999, Auctioneer Board roster. Noted.

LEGISLATIVE UPDATE

Advertising and licensing

The Board discussed the proposal to amend s. 480.20 (2) to create s. 480.06 (6) regarding abbreviating "Wisconsin Registered Auctioneer" in auction advertisements. Clete Hansen reported that Deputy Secretary Myra Shelton has the bill draft ready to be introduced in the Legislature.

Unemployment Compensation

The Board discussed eliminating the required payment of unemployment compensation for temporary auctioneers.

MOTION: Robert Massart moved, seconded by Marie Kohlbeck, that the Board send a letter to the Unemployment Compensation Board asking that licensed auctioneers be exempt from paying unemployment compensation for temporary auctioneers, and that a rationale accompany the request. Motion carried unanimously.

The Board asked Clete Hansen to send a letter to the Unemployment Compensation Board, requesting that auctioneers be exempt from paying unemployment compensation for temporary auctioneers.

Permitting Children to Call Auctions

The Board informally reiterated its support of this legislative proposal.

Bulk Sale Law and Uniform Model Law.

The Board discussed the Bulk Sale Law and the Uniform Model Law.

Biennial Budget Bill

The Board received a copy of the 1999-2000 biennial budget bill. Noted.

ADMINISTRATIVE RULES

Status of Proposed Rules re: Advertising and Trust Funds

The Board received a copy of Marie Skic-Loy's letter dated April 1, 1999. Noted.

The Board received a copy of Richard Lust's letter dated April 6, 1999. Noted.

The Board received copies of Marlene Cumming's letters dated March 16, April 13, and April 19, 1999. Noted.

Marie Skic-Loy read the letter she received from Senator Russ Decker regarding advertising costs for auctioneers.

The Board discussed that buyer's terms and conditions are required in the advertisement of an auction and also that buyer's terms and conditions need to be posted at the site of the auction.

The Board discussed that the term "buyer's premium" has been changed to "buyer's fee" in the rules. Some board members stated that they felt the Board's feelings in this matter were not fully relayed to the legislative committees.

Registration Statistics

Nothing to report.

Monitoring of Continuing Education Requirement

The Board received a list of auctioneers who renewed their licenses for 1999-2000, but apparently have not taken the continuing education or the test-out exam.

The Board discussed the difficulty of “tracking” continuing education credits and recommended sending letters to all auctioneers listed, requesting proof of their having satisfied the continuing education requirement.

Temporary Registration

The Board received a copy of s. 480.08(7)(a), relating to temporary auctioneer certificates. Noted.

The Board received the lists dated 4/23/99, of licensed auctioneer and temporary auctioneer certificates. Noted.

The Board requested that Don Rittel prepare a memorandum concerning the possibility of requiring auctioneers with temporary certificates to take the exam sooner than the end of one year. The Board also requested that this issue be put on the next meeting agenda.

MISCELLANEOUS INFORMATION/CORRESPONDENCE

Newsletter Article re: Auction Payout

The Board received a copy of Ron Wilichowski’s letter dated 4/6/99. Noted.

Correspondence re: Reciprocity

The Board received a copy of W. Wayne Woodard’s letter dated March 5, 1999. Noted.

The Board agreed that a reciprocity agreement is not possible at this time with North Carolina due to their education requirements for auctioneers.

NEW BUSINESS

No new business.

PUBLIC COMMENTS

No public comments.

RECESS TO CLOSED SESSION

MOTION: Ronald Bast moved, seconded by Marie Skic-Loy, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(a), (b), and (f), Wis. Stats.,

to consider the licensing or discipline of a person licensed by the Department or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, deliberations on stipulations that may be signed after printing of the agenda, and disciplinary proceedings. Motion carried unanimously by a roll call vote: Marie Kohlbeck-yes; Marie Skic-Loy-yes; Ronald Bast-yes; Richard Lust-yes, Robert Massart-yes.

Open Session recessed at 10:45 a.m.

The Board received the April 23, 1999, case status report.

The Board deliberated on a case closing.

ADJOURN CLOSED SESSION

MOTION: Marie Skic-Loy moved, seconded by Marie Kohlbeck, to adjourn the Closed Session to reconvene in Open Session as publicly announced. Motion carried unanimously.

Closed Session adjourned at 10:56 a.m.

RECONVENE IN OPEN SESSION

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

CASE CLOSINGS

MOTION: Marie Skic-Loy moved, seconded by Robert Massert, to close the following case presented by the Division of Enforcement. Motion carried unanimously.

97 AUC 013 Walter C. Schroeder

The Board asked Clete Hansen to send a letter of concern to Walter C. Schroeder.

ADJOURNMENT

MOTION: Marie Kohlbeck moved, seconded by Robert Massert, to adjourn the meeting at 10:58 a.m. Motion carried unanimously.